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Letter dated 27 December 2001 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached report from the Philippines, submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I should be grateful if you would arrange for this letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Counter-Terrorism Committee

01-72174 (E) 010202 080202

Annex

[Original: English]

Letter dated 21 December 2001 from the Chargé d'affaires a.i. of the Permanent Mission of the Philippines to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

Upon instructions from my Government, I have the honour to submit to the Security Council Committee on counter-terrorism the report of the Philippines entitled "Philippine Action Against Domestic and International Terrorism", in compliance with paragraph 6 of resolution 1373 (2001) (see enclosure). The report highlights the policies and legislative measures as well as activities undertaken by the Government to counter terrorism. Please note that Annex L contains the response to the specific guidelines issued by the Committee.*

I shall be grateful if the text of this letter and the report could be circulated as a Security Council document.

(*Signed*) Enrique A. **Manalo**
Chargé d'affaires a.i.

* Annexes to the report submitted by the Philippines are available for consultation with the Secretariat

Enclosure

PHILIPPINE ACTION AND INITIATIVES AGAINST DOMESTIC AND INTERNATIONAL TERRORISM

A report in compliance with paragraph 6 of UN Security Council Resolution 1373 (2001)

INTRODUCTION

PHILIPPINE POSITION ON STRENGTHENING REGIMES AGAINST INTERNATIONAL TERRORISM

At the outset, the Philippines has been as part of the war against terrorism even before the September 11 attacks on the United States. The Philippines has been targeted in the past by local terrorists and their international backers, known to provide financial, logistic and other material support. Of the twelve (12) core international instruments related to international terrorism, the Philippines is a signatory to eleven (11), including the International Convention for the Suppression of the Financing of Terrorism, which was signed last 16 November 2001. The Philippines supports the adoption of a Comprehensive Convention on International Terrorism to supplement the 1994 Declaration on Measures to Eliminate International Terrorism. International terrorism continues to become a scourge throughout the world and it will likely intensify in the future. Misguided religious militants and political extremists and their local minions are targeting many peace-loving countries in ASEAN and in the Asia Pacific region.

Proposals to increase the international regime against international terrorism will pave the way for an effective legal framework against terrorism. This might be the beginning of a more active and positive response of the international community against these criminals and their supporters whether state organized or private individuals.

As a general policy, the Philippine government considers all terrorist actions, regardless of motivation, as criminal acts and therefore authorizes all lawful preventive actions to bring to the bar of justice those who commit such crimes. The Philippines' law enforcement community defines terrorism as, "the premeditated use or threatened use of violence or means of destruction perpetrated against innocent civilians or non-combatants, or against civilian and government properties, usually intended to influence an audience. Its purpose is to create a state of fear that will aid in extorting, coercing, intimidating, or causing individuals and groups to alter their behavior. Its methods are hostage-taking, piracy or sabotage, assassination, threats, hoaxes, and indiscriminate bombings or shootings."[1]

Based on recent experience, the Philippines believes that any future international regime to curb international terrorism should include an expanded definition of what constitutes an act of terrorism. Terrorism as defined should include such acts as 1) hijacking or sabotage of an aircraft, vessel or vehicle; 2) kidnapping, detaining without consent, or seizure of a person or persons; 3) the use of any biological and/or chemical agent, or radioactive material, or nuclear device, explosive, firearm or other weapon, with the intent to endanger, directly or indirectly, the safety of one or more individuals, or to cause great damage to property; 4) threats to do any of the acts of terrorism as already defined; 5) cyber-terrorism, which includes the unauthorized access to, destruction or disruption of government data and finally 5) the act of assisting terrorists in any way in the commission of their crime, as an accessory or accessories.

[1] Section 1.A, Memorandum Order No. 121 Updating the Government's policy on terrorism, particularly on hostage-taking situations.

Together, by working hard and in a cooperative manner, the international community can put to a stop these terrible acts of violence which threaten the lives of children, innocent civilians, and private and public property.

MULTILATERAL INITIATIVES

- The Philippines proposed the creation of a permanent working group to support the global war against international terrorism at the Asia Pacific Parliamentary Forum (APPF) which was held in Thailand on 19 January 1996. The proposal cited the need for a stable and dependable mechanism for preparing steps for tangible agreements to support the global war against international terrorists.

- The Philippines hosted the first-ever International Conference on Counter-Terrorism on 18-22 February 1996, which was attended by 120 delegates from 19 countries.

REGIONAL INITIATIVES

- The Philippines is spearheading a sub-regional approach in the fight against terrorism together with regional neighbors, Indonesia and Malaysia. The three countries will explore, among others, cooperation in exchanges of information, legal assistance in criminal investigations and prosecution of terrorists, strengthening border controls, and tightening controls in the movement of funds to finance terrorist organizations and their illegal activities. The ASEAN Heads of State and Government issued at their last meeting in Brunei during the 7th ASEAN Summit (05-06 November 2001) an ASEAN Declaration on Joint Action (**ANNEX A**) to Counter Terrorism, which should pave the way for a regional convention to suppress this menace.

- The Philippines hosted the Asia Regional Ministerial Meeting on Transnational Crime on 23-25 March 1998, which was attended by more than 100 delegates and observers from UN member states from Asia and the Pacific, four (4) international organizations and six (6) observer countries.

- The Philippines initiated cooperation among members of the Association of Southeast Asian Nations (ASEAN) against transnational crime when it convened the first ASEAN Ministerial Meeting on Transnational Crime (AMMTC) on 18-20 December 1997 in Manila. This meeting led to the adoption of the ASEAN Declaration on Transnational Crime. In the first AMMTC, the Ministers also decided to consider the establishment of an ASEAN Center on Transnational Crime (ACOT).

- During the 31st ASEAN Ministerial Meeting in Manila on 24-25 July 1998, the ASEAN Foreign Ministers welcomed the resolution to take firm and stern measures to combat transnational crimes, including drug trafficking and trafficking in women and children. They also noted the efforts of the Asia Regional Ministerial Meeting on Organized Transnational Crime held in Manila on 23-25 March 1998 to find a solution to the growing menace of illicit drug trafficking, terrorism, arms smuggling, money laundering, trafficking in persons and piracy. This regional meeting recognized the need to promote international cooperation on criminal matters, particularly on extradition, mutual assistance, witness protection, transfer of prisoners, and seizure and forfeiture of proceeds from criminal activities. The Foreign Ministers likewise affirmed the Manila Declaration on the prevention and control of transnational crimes through increased cooperation.

INTERNATIONAL TERRORISM

Philippine action against terrorism is guided by its commitments to international instruments related to the prevention and suppression of international terrorism, as well as UN Security Council and General Assembly resolutions related to the suppression of terrorism.

Enclosed as **ANNEX B** is a list of international instruments, both multilateral and bilateral, to which the Philippines is a state party. It also includes a list of international instruments to which the Philippines is not yet a state party.

The Philippines is also guided by the following relevant UN Security Council and General Assembly resolutions, among others, related to the suppression of terrorism:

UNSC Res. 1373 (2001)	UNSC Res. 1368 (2001)
UNGA Res. 56/1	UNSC Res. 1363 (2001)
UNGA Res. 55/158	UNSC Res. 1333 (2000)
UNSC Res. 1269 (1999)	UNSC Res. 1267 (1999)
UNSC Res. 1214 (1998)	UNSC Res. 1189 (1998)
UNGA Res. 51/210	UNGA Res. 49/60

DOMESTIC TERRORISM

The Philippines has also taken action against terrorism on the domestic front with the following measures:

- On 12 October 2001, H.E. President Gloria Macapagal Arroyo issued Memorandum Order No. 37 (**ANNEX C**) entitled, "Providing for the Fourteen Pillars of Policy and Action of the Government against Terrorism".

- On 31 October 2000, Memorandum Order No. 121 (**ANNEX D**) signed by former President Joseph Ejercito Estrada updated the Philippine Government's policy on terrorism, particularly on hostage taking situations. Memorandum Order No. 121 also provides, for guidance, a Philippine definition of what constitutes an act of terrorism.

- The Philippine "Crisis Management Manual" was updated on 15 November 2000. The Manual deals with preventive and reactive contingency measures which are to be adopted in deterring or dealing with all forms of crisis deleterious to the country's security and stability including international terrorism.

- A Philippine "Hostage Negotiation Manual" was crafted for the purpose of serving as procedures, tactics and techniques in hostage negotiations specifically applied to hostage barricade incidents.

- A National Civil Aviation Security Program (NCASP) was created as the action program in the total approach to prevent, control and counter hijacking and terrorism that are directed against the airline industry and civil aviation.

- The Philippine Center on Transnational Crime (PCTC) was created by Executive Order No. 62 dated 15 January 1999 under the Office of the President to formulate and implement a concerted program of action of all law enforcement, intelligence and other agencies for the prevention and control of transnational crime.

- Concerned Philippine Government officials and members of the academe hosted/participated in the 7th Meeting of the Council for Security Cooperation in the Asia Pacific (CSCAP) Working Group on Transnational Crime on 31 May – 01 June 2000 in Manila.

EXISTING LEGISLATIVE FRAMEWORK

The following provisions of the Revised Penal Code (Act No. 3815) address and provide penalties for terrorism and acts arising as a consequence thereof:

a. Article 122 and 123 (Piracy)

b. Articles 248 (Murder) and 249 (Homicide)
c. Articles 262-266 (Physical injuries)
d. Article 267 (Kidnapping and Serious Illegal Detention)
e. Articles 293-302 (Robbery)

Although there is no specific law against terrorism, the Revised Penal Code covers all terrorist activities or those criminal acts that tend to create or sow common danger or a state of terror on the general public to achieve a pre-determined purpose or objective, such as air hijacking, sabotage, abductions, kidnappings, bombings, slaying or assassination, arson, armed attack or threats.

The following domestic laws also punish certain acts of terrorism, and addresses terrorist threats in the country:

- Republic Act No. 6235 dated 19 June 1971 (**ANNEX E**) entitled An Act Prohibiting Certain Acts Inimical to Civil Aviation)
- Presidential Decree No. 532 dated 08 August 1974 (**ANNEX F**) entitled The Anti-Piracy/Anti-Robbery Law of 1974), an amendment to Article 122 (Piracy and Mutiny on the High Seas or in Philippine Waters) of the Revised Penal Code
- Executive Order No. 246 (**ANNEX G**) dated 18 May 1995 Reconsituting the National Action Committee on Anti-Hijacking (updating EO Nos. 393 dated 24 January 1990 and 452 dated 05 April 1991, issued by former President Corazon Cojuangco Aquino) as the National Action Committee on Anti-Hijacking and Anti-Terrorism (NACAHT)
- Administrative Order No. 344 (**ANNEX H**) issued by former President Fidel V. Ramos creating the National Organizing Committee for the World Forum to combat international drug trafficking, money laundering, terrorism and organized crime
- Executive Order No. 30 (**ANNEX I**) dated 30 September 1998 providing logistical support to NACAHT

The Philippine Anti-Money Laundering Act of 2001 (Republic Act 9160) (**ANNEX J**) will also help prevent the flow of funds to terrorist groups through greater transparency and accountability in the banking and financial sectors of the economy.

Lastly, there are two pending bills at the Philippine Senate (**ANNEX K**), that seeks to address domestic and international terrorism and provides severe penalties for such acts: Senate Bill No. 264 {entitled "An Act to Protect the State Against Aliens and Organizations Engaged in International Terrorism (Amending the Philippine Immigration Act of 1940)}, and Senate Bill No. 1353 {entitled, "The Anti Terrorism Act"}. New bills from the Senate and House of Representatives integrating elements from both SB No. 264 and SB 1353 are in the process of being drafted by the current 13th Congress.

Enclosed, as **ANNEX L**, are the replies to the Guide Questions listed in the Guidance for the Submission of Reports.

The Philippine Government will indicate, in a follow-up report, certain areas where assistance might be needed in fulfillment of the requirements of resolution 1373 (2001), and in preparing reports for the Counter-Terrorism Committee as mandated under paragraph 6 of the resolution.

Replies to the Guide Questions listed in the Guidance for the Submission of Reports Pursuant to Paragraph 6 of Security Council Resolution 1373 (2001) of 28 September 2001

Operative Paragraph 1

Sub-paragraph (a) – What measures if any have been taken to prevent and suppress the financing of terrorist acts in addition to those listed in your responses to questions on 1(b) to (d)?

The Philippine Anti-Money Laundering Act seeks to address the need to monitor the illicit flow of finances, among which are those likely benefiting terrorists and transnational criminals.

The Philippines also adheres to implementing the International Convention for the Suppression of the Financing of Terrorism, and shall make adjustments in its bank secrecy laws that need to be further dovetailed to this convention as well as the just-passed Anti-Money Laundering Act.

Sub-paragraph (b) – What are the offenses and penalties in your country with respect to the activities listed in this sub-paragraph?

Please refer to ANNEX J for details.

Sub-paragraph (c) – What legislation and procedures exist for freezing accounts and assets at banks and financial institutions? It would be helpful if States supplied examples of any relevant action taken.

Please refer to ANNEX J. The Philippine Government will provide in a follow-up report on specific examples of relevant actions taken so far.

Sub-paragraph (d) – What measures exist to prohibit the activities listed in this sub-paragraph?

Please refer to ANNEX J for details.

Operative Paragraph 2

Sub-paragraph (a) – What legislation or other measures are in place to give effect to this sub-paragraph? In particular, what offenses in your country prohibit (i) recruitment to terrorist groups and (ii) the supply of weapons to terrorists? What measures help prevent such activities?

(a)

Republic Act (R.A.) No. 6235 dated 19 June 1971 entitled "An Act Prohibiting Certain Acts Inimical to Civil Aviation"

PD 1866 as amended by R.A. 8294 – Codifying laws on Illegal/Unlawful Possession, Manufacture, Dealing in, Acquisition or Disposition of, Firearms, Ammunition or Explosives, or Instruments used in the Manufacture of Firearms, Ammunition or Explosives and Imposing Stiffer Penalties for Certain Violations therefore and for Relevant Purposes

Philippine Immigration Act of 1940

Tariff and Customs Code of 1978 (PD 1464 as amended)

Republic Act No. 8799 – the Securities Regulation Code

Republic Act No. 9160 – An act Defining the Crime of Money Laundering, Providing Penalties therefore and for other Purposes (September 2001), otherwise known as the Philippine Anti-Money Laundering Act

Presidential Decree (PD) No. 1829 – Penalizing Obstruction of Apprehension and Prosecution of Criminal Offenders (16 January 1981)

Batas Pambansa Bilang (No.) 39 – An Act Regulating the Activities and Requiring the Registration of Foreign Agents in the Philippines (07 September 1979)

Revised Administrative Code (RAC) Sec. 897 – Annual Inspection of Firearms Held Under License. The Chief of Constabulary (now the Chief, Philippine National Police or PNP) once each year, shall issue directions to the Provincial Inspector (now Senior Inspector) of the Philippine Constabulary (now PNP) of the various provinces to verify all arms in the possession of persons holding licenses and to make due report of such verification.

RAC Sec. 878 – Unlawful manufacture, dealing in, acquisition, disposition, or possession of firearms, parts of firearms, or ammunition therefore or instruments or implements used or intended to be used in the manufacture of firearms and ammunition; Save as allowable under this article it shall be unlawful for any person to import, manufacture, deal in, receive, acquire, buy, sell, dispose of, or possess any firearm, detached parts of firearms or ammunition therefore, or any instrument or implement used or intended to be used in the manufacture of firearms, parts of firearms or ammunition.

RAC Sec. 883 – License required for manufacturer or dealer in firearms; Any person desiring to manufacture or deal in, acquire, dispose, or possess, any firearm, parts of firearms or ammunition therefore or instruments or implements used or intended to be used in the manufacture of firearms, parts of firearms or ammunition shall make an application to the President of the Philippines for a license, stating therein the facts regarding the amount of business in the manufacture or purchase and sale of said articles intended to be transacted by such applicant and the classes of arms, ammunition or implements which the applicant intends to manufacture or purchase and sell under the license applied for, and such additional information as may be especially requested by the President before approving the application. The President may approve or disapprove such application.

Standard Operating Procedure No. 04 – Control and Supervision of the Importation, Sale and Possession and Use of Explosives dated 19 April 1991

Standard Operating Procedure No. 13 – Licensing of Firearms dated 19 September 1991

Memorandum for the Secretary or Interior and Local Government recommending the phase-out of the use, manufacture or sale of *Paltik* (home-made) Firearms

PNP Circular No. 5 – Disposition of Captured, Confiscated, Surrendered and Deposited Firearms, Ammunition and Explosives dated 05 September 1994

Relevant Executive Orders (EO):

EO No. 110 – Directing the PNP to Support the Armed Forces of the Philippines (AFP) in Internal Security Operations for the Suppression of Insurgency and other Serious Threats to National Security dated 15 June 1999

EO No. 145 – Amending EO No. 386 dated 19 December 1989, Establishing a National Crime Information System (NCIS), Providing the Mechanisms Therefore and for other Similar Purposes dated 27 August 1999

(i)

Revised Penal Code or Republic Act 3815 dated 08 December 1930 on provision on crimes against national security

a) **Article 114 (Treason)**
b) **Article 115 (Conspiracy, Proposal to Commit Treason)**
c) **Article 116 (Misprision of Treason)**
d) **Article 117 (Espionage)**
e) **Article 122 (Piracy in general and mutiny on the high seas or in Philippine waters)**
f) **Article 123 (Qualified piracy)**

Commonwealth Act No. 616 – An Act to Punish Espionage and Other Offenses Against National Security

(ii)

Violation of specific provisions of PD 1866 as amended by RA 8294

Furthermore, Philippine armed forces, police and intelligence officers monitor reports on alleged purchases and delivery of firearms by local threat groups, and undertake operations to seize these illegal shipments whenever possible.

The Philippine Government is committed to fully implement the Programme of Action of the 2001 UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

The immediate enactment of an anti-terrorism law is pending before both the House of Representatives and the Senate and the forging of bilateral and multi-lateral agreements.

Sub-paragraph (b) – What other steps are being taken to prevent the commission of terrorist acts, and in particular, what early warning mechanisms exist to allow exchange of information with other states?

Preventive measures on terrorist acts from domestic sources include, but are not limited to, intensified intelligence operations, close coordination with the PNP, the National Bureau of Investigation (NBI) and other anti-crime agencies while strengthening intelligence exchanges with the military counterparts of other countries within the limits set by the President and the Secretary of Defense.

Furthermore, credible intelligence reports on planned terrorist acts by locally-based threat groups are communicated to the public and their support is solicited. The police coordinates with the security units of public places such as shopping malls, bus/railway stations, cinemas, hotels, office buildings, and other locations. The searching of bags and persons is a common practice in the Philippines. Heightened vigilance by both private and government security personnel and by the public would deter terrorists from carrying out their planned actions.

The Philippine Government also helps provide early warning to other states by exchange of information, primarily through INTERPOL, as well as existing bilateral and regional agreements and arrangements to cooperate in addressing transnational crimes, including terrorism

Specific steps taken to prevent the commission of terrorist acts:

- **Use of blue and red notices through X-400 system of INTERPOL**
- **Strict implementation of the Philippine Immigration Act of 1940**
- **AFP-PNP Memorandum of Agreement on Exchange of Information dated April 2001**
- **Inherent functions of traditional intelligence communities which include the AFP and major law-enforcement agencies**

Sub-paragraph (c) – What legislation or procedures exist for denying safe haven to terrorists, such as laws for excluding or expelling the types of individuals referred to in this sub-paragraph? It would be helpful if States supplied examples of any relevant action taken.

Philippine law enforcement agencies actively cooperate with their foreign counterparts. For example, the Ramzi Yousef group, an Al-Qaeda cell operating in the Philippines, was discovered on information from United States authorities after the bombing of the World Trade Center in 1993.

The Philippine Government will provide in a follow-up report on other specific examples of relevant actions taken so far.

Sub-paragraph (d) – What legislation or procedures exist to prevent terrorists acting from your territory against other states or citizens? It would be helpful if States supplied examples of any relevant action taken.

The Philippine Government will provide in a follow-up report on specific examples of relevant actions taken so far.

Sub-paragraph (e) – What steps have been taken to establish terrorist acts as serious criminal offenses and to ensure that the punishment reflects the seriousness of such terrorist acts? Please supply examples of any convictions obtained and the sentence given.

PD 1069 – Prescribing the Procedure for the Extradition of Persons who have Committed Crimes in a Foreign Country. This measure facilitated the extradition of suspected terrorists to countries of origin with stricted laws/stiffer penalties. Specific examples were the case of two Japanese Red Army members Hiroshi Sensui and Nerio Sasaki on 06 June 1998. In 1995, two members of the Ahmed Yousef Cell, namely Mourad and Usama Asmorai a.k.a. *Wali Khan* were also extradited.

Please refer to ANNEX J.

Sub-paragraph (f) – What procedures and mechanisms are in place to assist other states? Please provide any available details of how these have been used in practice.

Multilateral, regional and bilateral agreements/treaties with other countries (see ANNEX B)

The AFP has established the Counter-Terrorist Force (CTF) in response to the Sipadan, Malaysia kidnappings committed in 2000 by the Abu Sayyaf. The CTF has been conducting formal and informal exchanges with the relevant units of other countries. The most recent and most visible of these exchanges

took place in Zamboanga and Basilan in October 2001 when observers and technical specialists from the United States exchanged information on and experiences with the CTF in the course of their training and equipment assessment mission.

The Philippine Government will provide in a follow-up report on other specific examples of relevant actions taken so far.

Sub-paragraph (g) – How do border controls in your country prevent the movement of terrorists? How do your procedures for issuance of identity papers and travel documents support this? What measures exist to prevent their forgery, etc.?

There are existing cross-border agreements with Indonesia and Malaysia. Originally designed to prevent illegal fishing, poaching, smuggling, piracy and other crimes, these agreements have facilitated the gradual expansion of respective roles to include certain aspects of international terrorism, such as the movement of war material and of personalities suspected of terrorist crimes, although these two features still have to be refined among the parties to the agreements. The Philippines-Malaysia Joint Commission on Bilateral Cooperation and the Philippines-Indonesia Joint Commission on Bilateral Cooperation regularly discuss the status of these border control/patrol agreements.

Revised Penal Code provisions on forgery/falsification and other fraudulent activities, specifically covered under Title Four Chapter 1 (Forgeries) and Chapter 3 (Frauds)

Philippine immigration law provisions

Application of provisions of Republic Act No. 8239 entitled, "The Philippine Passport Act of 21 February 1997"

Operative Paragraph 3

Sub-paragraph (a) – What steps have been taken to intensify and accelerate the exchange of operational information in the areas indicated in this sub-paragraph?

Fast-tracking the establishment of the Philippine Center on Transnational Crime's (PCTC) Trans-national Crimes (TNC) Database

Amendments to existing Protocols/Conventions

Review, study and recommend existing MOUs for possible updating and amendment to suit the changing times, including increased focus on international terrorism

Identifying and designating agencies to serve as focal points to orchestrate all actions pertaining to terrorism

Although intelligence exchanges have included aspects on terrorism in previous years, these aspects have expanded gradually in more recent exchanges. These include operational and tactical information on matters of urgent interests of other countries.

Immediately after the terrorist attacks on the World Trade Center and on The Pentagon, the Philippine Government organized the TerroristWatch composed of immigration, port and airport authorities, police, intelligence units and others to monitor the possible entry and exit of identified terrorists in and out of the country.

As previously stated, the Philippine Government is committed to fully implement the Programme of Action of the 2001 UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

Sub-paragraph (b) – What steps have been taken to exchange information and cooperate in the areas indicated in this sub-paragraph?

Steps will be primarily based on exchange of information in accordance with international and domestic laws and through cooperation on administrative/judicial matters. In this regard, the Philippines has signed mutual legal assistance treaties with other countries.

Sub-paragraph (c) – What steps have been taken to cooperate in the areas indicated in this sub-paragraph?

Please refer to ANNEX B. The ASEAN Heads of State and Government issued at their last meeting in Brunei during the 7th ASEAN Summit (05-06 November 2001) an ASEAN Declaration on Joint Action to Counter Terrorism, which should pave the way for a regional operational convention or agreement to combat terrorism.

Three meetings of ASEAN specifically related to transnational crime, including terrorism are proposed for 2002: a) Ad Hoc Experts Group Meeting on the ASEAN Plan of Action to Combat Transnational Crime, b) Special Senior Officials Meeting on Transnational Crime, and c) Special ASEAN Ministerial Meeting on Transnational Crime.

Sub-paragraph (d) – What are your government's intentions regarding signing and/or ratifying the conventions and protocols referred to in this sub-paragraph?

Please refer to ANNEX B. The Philippines is seriously considering the signing of the remaining core international instrument related to terrorism that it is not yet a party to, namely the Convention for the Marking of Plastic Explosives for the Purposes of Detection.

Sub-paragraph (e) – Provide any relevant information on the implementation of the conventions, protocols and resolutions referred to in this sub-paragraph.

Please refer to the Introduction of this Report.

Sub-paragraph (f) – What legislation, procedures and mechanisms are in place for ensuring asylum seekers have not been involved in terrorist activity before granting refugee status? Please supply examples of any relevant cases.

The Philippine Government will provide in a follow-up report on specific examples of relevant actions taken so far.

Sub-paragraph (g) – What procedures are in place to prevent the abuse of refugee status by terrorists? Please provide details of legislation and/or administrative procedures which prevent claims of political motivation being recognized as grounds for refusing requests for the extradition of alleged terrorists. Please supply examples of any relevant cases.

The Philippine Government will provide in a follow-up report on specific examples of relevant actions taken so far.

Philippine Action and Initiatives Against Domestic and International Terrorism (A Response to Resolution 1373)

List of Annexes*

1. 2001 ASEAN Declaration on Joint Action to Counter Terrorism adopted at the Seventh ASEAN Summit, Brunei Bandar Seri Begawan 5 November 2001 – **Annex A**

2. List of International Instruments related to Terrorism and status of Philippine Signing/Ratification (As of 16 November 2001) – **Annex B**

3. Presidential Memorandum No. 37 entitled "Providing for the Fourteen Pillars of Police and Action of the Government against Terrorism" – **Annex C**

4. Presidential Memorandum No. 121 on Philippine Government's Policy on terrorism with emphasis on hostage taking situations, including definition of, signed 31 October 2001 – **Annex D**

5. Republic Act No. 6235 entitled An Act Prohibiting Certain Acts Inimical to Civil Aviation dated 19 June 1971 – **Annex E**

6. Presidential Decree No. 532 entitled "The Anti-Piracy/Anti-Robbery Law of 1974", an amendment to Article 122 (Piracy and Mutiny on the High Seas or in Philippine Waters) of the Revised Penal Code – **Annex F**

7. Executive Order No. 246 Reconstituting the National Action Committee on Anti-Hijacking dated 18 May 1995 (updating EO Nos. 393 dated 24 January 1990 and 452 dated 05 April 1991, issued by former Corazon Cojuangco Aquino) as the National Action Committee on Anti-Hijacking and Anti-Terrorism (NACAHT) – **Annex G**

8. Administrative Order No. 344 – Creation of the National Organizing Committee for the World Forum to combat international drug trafficking, money laundering, terrorism and organized crime – **Annex H**

9. Executive Order No. 30 – Logistical Support to NACAHT dated 30 September 2001 – **Annex I**

10. Republic Act 9160 – Philippine Anti-Money Laundering Act of 2001 – **Annex J**

11. Pending Bills at the Philippine Senate relating to counter-terrorism – **Annex K**

    - Senate Bill No. 264 entitled "An Act to Protect the State Against Aliens and Organizations Engaged in International Terrorism" (Amending the Philippine Immigration Act of 1940)

    - Senate Bill No. 1353 entitled "The Anti Terrorism Act"

12. Guide Questions listed in the Guidance for the Submission of Reports Pursuant to Paragraph 6 of Security Council Resolution 1373 (2001) of 28 September 2001 – **Annex L**

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* Annexes are available for consultation with the Secretariat.